

**January 22, 2004**

**Habilitation Services Program (HSP) Transfer Progress Report**

**Governor's Office/Administration:**

- DDS has not yet received a response to our exemption request pursuant to the Governor's freeze on new regulations (Executive Order S-2-03). However, we are confident that our regulations package will be allowed to go forward.

**Legislation:**

- The Department continues to monitor the current legislative special sessions addressing California's budget shortfall and any actions that will impact services to persons with developmental disabilities. As of the date of this report, neither the Assembly nor the Senate has taken such action.
- For your information, the chaptered legislation governing the transfer and structure of the HSP is attached.

**Rulemaking (Regulations):**

- DDS expects to forward the Habilitation regulations package to Health and Human Services Agency and subsequently, to the Department of Finance and Office of Administrative Law by the end of February. The regulations have been revised according to previous feedback from regional centers and vendors. You will receive a copy of the regulations once they have been submitted to OAL. As noted in previous reports, the emergency rule-making process does not allow for public comment on the regulations prior to their approval by the Office of Administrative Law. Use of the emergency status was deemed necessary for meeting the federal timelines for amending the Waiver. However, the normal public hearings process will follow soon after the effective date of the emergency regulations to allow for public input before the regulations become final. DDS staff has already begun preparing the Habilitation regulations Notice of Proposed Rulemaking package for this purpose.

**Training Curriculum:**

- As noted in our last report, the regional center training format will be "train-the-trainer" and is near finalization. The training dates, training staff, participant invitees and locations for the training have been finalized and are posted on the DDS web site (also see attachment). Because of the delay in finalizing the curriculum, we now expect to post the training curriculum on the DDS web site by the end of February. A draft training outline is attached. Prior to the actual trainings, we anticipate conducting a "mock training" with regional center staff present. This will allow us to revamp the training to best suit regional center

needs. DDS continues to work with the ARCA Habilitation Services Sub-Committee in fine-tuning the training curriculum. Due to the need for presenting the training material in a setting that will encourage the necessary in-depth communication between presenters and attendees and site capacity constraints, DDS is requesting that regional centers limit the number of attendees from each center. To assist the DDS staff assigned to organizing the training sites, we are asking regional centers to send the following information on each attendee to Mike Kulisek via his e-mail address, [mkulisek@dds.ca.gov](mailto:mkulisek@dds.ca.gov).

- Name of attendee,
  - Position and/or working title,
  - Telephone number, and
  - E-mail address.
- DDS continues to request input from regional centers, vendors and other stakeholder organizations on questions they would like answered or covered in the training sessions related to the Habilitation transfer. To date, DDS has received approximately 80 questions related to the Habilitation transfer (see attached file). Department staff has clustered the questions under the general headings of, 1.) Service delivery, 2.) DDS' role and responsibilities, 3.) Regional center's role and responsibilities and, 4.) Vendor's role and responsibilities. As noted in last months report, we plan to share the questions and answers with the widest audience possible by posting the questions and their answers on the DDS web site under the heading of Frequently Asked Questions (FAQ). Since most of the questions refer to regulatory matters, we will not finalize answers until our regulation package is completed. Questions can be sent to DDS via fax (916-654-2192) or e-mail ([aslss@dds.ca.gov](mailto:aslss@dds.ca.gov)) until the end of February.

#### **Implementation Activities:**

- As noted last month, DDS is now posting all current and past Habilitation transfer progress reports on the DDS web site.
- The Memorandum of Understanding between DDS and Department of Rehabilitation that will guide current and out year collaboration between the Departments is also attached.
- DDS and DOR convened their monthly Habilitation Transfer Project meeting at DOR's office on 1/20/04. All stakeholder groups were invited to this meeting, however, only stakeholders representing Habilitation service providers attended. Agenda issues discussed included:
  - Update on the Habilitation regulations package.
  - Vendorization questions related to assignment of vendor numbers
  - The need to maintain the requirement for accreditation versus CCL licensing.
  - Status of proposed regional center training curriculum and timeline.

- Impact of converting supported employment (SE) groups from 3 to 4 by July 1, 2004.
  - Billing processes for SE groups with multiple regional center consumers
  - Status of the redesigned SE group tracking form
- The next telephone conference call meeting with the ARCA Habilitation Services Transfer Project Sub-Committee is scheduled on Tuesday, January 27, 2004 at 10am.
- DDS is also working with our internal HIPAA staff to incorporate, as needed, relevant boilerplate language to address any applicable consumer information that would be transferred between departments as part of the MOU or ramp-up activities or as proposed under the sharing of information when a consumer is referred to DOR's vocational rehabilitation program.